

June 23, 2006

**Caleb Nichols, Esq.**  
P.O. Box 1585  
Erie, PA 16507

**RE: Claudette deLeon**

**Dear Mr. Nichols:**

*I am writing in response to your request for feedback to enumerated questions regarding the treatment of Claudette deLeon through this office.*

1. *Claudette deLeon was initially seen by this psychologist through this office on 3/5/01. Our billing record indicates that she was last seen on 1/24/05.*
2. *Mrs. deLeon was seen for individual psychotherapy by this psychologist and for psychotropic medication management by Gregory L. Richard, M.D. of this office.*
3. *When initially seen by this psychologist, she was given the diagnosis of Major Depression, Recurrent and Panic Disorder with Agoraphobia. On Axis 2, she was given a diagnosis of Personality Disorder, Not Otherwise Specified. When Dr. Richards initially evaluated Mrs. deLeon on 9/18/01 he gave her a diagnosis of Panic Attacks without Agoraphobia and on Axis 2 Borderline Personality Traits.*
4. *The difficulties that Mrs. deLeon encountered in her work place and the stress associated with that did not cause her disability, but rather exacerbated her disability.*
5. *As above, I treated Mrs. deLeon with individual outpatient psychotherapy and Dr. Richards treated her with psychiatric medication management. When initially seen, Dr. Richards had prescribed Buspar 15 mg tid prn, Ativan 0.5 mg and Celexa 20 mg. Dr. Richards's last medication note of 6/7/05 indicated Effexor XR 75 mg bid.*
6. *It is my opinion that Mrs. deLeon's marital difficulties and other difficulties outside the workplace contributed to periodic exacerbation of her disability.*

7. It is my opinion that I concur with the evaluation report of Mrs. deLeon prepared by Dr. Hillin. I have not seen any report of evaluation performed by Dr. Luis Torres.

*I hope this information is helpful to you. If you have any further questions, please refer to my treatment notes. Further, as I had indicated, I may not be available to serve as an expert witness at the trial.*

Sincerely,



**Michael Mercatoris, Ph.D.**  
**Clinical Psychologist**

MM/lb

Michael Mercatoris, Ph.D.  
Clinical Psychologist

Michael Mercatoris, Ph.D. & Associates, P.C.  
462 Chestnut Street • Meadville, PA 16335 • 814-336-6308 • Fax 814-337-6067

December 22, 2003

Re: Claudette DeLeon

To whom it may concern:

Claudette DeLeon is a patient under the combined care of myself and Gregory L. Richards, M.D. Her primary diagnosis is Major Depression, Recurrent. Dr. Richards had additionally diagnosed her with Panic Disorder, without Agoraphobia. It is my opinion that the Panic Disorder has resolved. She at no time during her treatment has shown any symptoms of Schizophrenia.

Sincerely,



Michael Mercatoris, Ph.D.  
Clinical Psychologist

**CONFIDENTIAL**

Claudette DeLeon

Patient ID: 010627

1/28/2005

Page: 1 of 2

## Patient Ledger

Date	Type	Provider/Payer	Description	Amount	Balance
3/05/2001	Service	90801	Michael Mercatoris, PhD	Psychiatric interview	95.00
3/05/2001	Adjustment		Network Adjustment	10.00 CR	85.00
3/19/2001	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
3/19/2001	Adjustment		Network Adjustment	10.00 CR	170.00
4/19/2001	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
4/19/2001	Adjustment		Network Adjustment	10.00 CR	255.00
5/07/2001	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
5/07/2001	Adjustment		Network Adjustment	10.00 CR	350.00
5/15/2001	Payment	Check	Highmark BC/BS Select B		180.00 CR
5/21/2001	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
5/21/2001	Adjustment		Network Adjustment	10.00 CR	245.00
6/25/2001	Payment	Check	Highmark BC/BS Select B		85.00 CR
7/17/2001	Payment	Check	Highmark BC/BS Select B		170.00 CR
10/01/2001	Service	00001	Michael Mercatoris, PhD	Doctor cancelled	0.00
11/03/2001	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
1/04/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
4/04/2002	Service	00001	Michael Mercatoris, PhD	Doctor cancelled	0.00
4/24/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
4/24/2002	Adjustment		Network Adjustment	10.00 CR	85.00
4/24/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
4/26/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
4/26/2002	Adjustment		Network Adjustment	10.00 CR	85.00
4/26/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
5/14/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
5/14/2002	Adjustment		Network Adjustment	10.00 CR	85.00
5/14/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
5/29/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
5/29/2002	Adjustment		Network Adjustment	10.00 CR	85.00
5/29/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
6/06/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
6/06/2002	Adjustment		Network Adjustment	10.00 CR	85.00
6/06/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
7/08/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
7/08/2002	Adjustment		Network Adjustment	10.00 CR	85.00
7/08/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
7/11/2002	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
7/11/2002	Adjustment		Network Adjustment	10.00 CR	85.00
7/11/2002	Payment	Check	Highmark BC/BS Select B		85.00 CR
8/05/2002	Service	11111	Michael Mercatoris, PhD	Failed Appointment	0.00
10/02/2002	Service	11111	Michael Mercatoris, PhD	Failed Appointment	0.00
12/02/2002	Service	11112	Michael Mercatoris, PhD	Cancelled W/O 24 Hour notice	0.00
1/02/2003	Service	11112	Michael Mercatoris, PhD	Cancelled W/O 24 Hour notice	0.00
2/12/2003	Service	11112	Michael Mercatoris, PhD	Cancelled W/O 24 Hour notice	0.00
3/10/2003	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
3/10/2003	Adjustment		Network Adjustment	2.00 CR	93.00
3/10/2003	Payment	Check	Highmark BC/BS Select B		93.00 CR
3/26/2003	Service	11112	Michael Mercatoris, PhD	Cancelled W/O 24 Hour notice	0.00
4/10/2003	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
4/10/2003	Adjustment		Network Adjustment	2.00 CR	93.00
4/10/2003	Payment	Check	Highmark BC/BS Select B		93.00 CR
6/23/2003	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
6/23/2003	Adjustment		Network Adjustment	10.00 CR	85.00
6/23/2003	Payment	Check	Value Options	55.00 CR	30.00
7/08/2003	Payment	Check	Claudette DeLeon	30.00 CR	0.00
8/04/2003	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
8/05/2003	Payment	Check	Claudette DeLeon	30.00 CR	65.00
8/27/2003	Payment	Check	Value Options	65.00 CR	0.00
10/22/2003	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00
11/10/2003	Service	90806	Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00

Claudette DeLeon

Patient ID: 010627

1/28/2005

Page: 2 of 2

**Patient Ledger**

Date	Type	Provider/Payer	Description	Amount	Balance
11/24/2003	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00	285.00
12/22/2003	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00	380.00
1/26/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	95.00	475.00
3/30/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	580.00
5/21/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	685.00
6/16/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	790.00
7/20/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	895.00
8/04/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	1,000.00
8/18/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	1,105.00
9/15/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	1,210.00
10/15/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	1,315.00
11/11/2004	Service	90806 Michael Mercatoris, PhD	Individual Psychotherapy, 45-50 min	105.00	1,420.00
11/15/2004	Service	00004 Michael Mercatoris, PhD	Record Request	29.97	1,449.97
11/15/2004	Payment	Check Claudette DeLeon		29.97 CR	1,420.00

## *Curriculum Vitae*

### Michael Mercatoris, Ph.D.

462 Chestnut Street  
814-336-6308

Meadville, PA 16335  
Fax 814-337-6067

### *Educational Background*

The Pennsylvania State University, University Park, PA. 1970-1976

M.S., Clinical Psychology, 1972; Ph.D. Clinical Psychology, 1976, with minors in Psychophysiology and Research Design/Methodology; USPHS Fellowship

Allegheny College, Meadville, PA 1966-1969

B.A., Psychology; Pratt Award for Outstanding Junior in Psychology, 1968; graduated cum laude.

Duke University, Durham, NC 1965-1966

Transferred to Allegheny College.

### *Professional Experience*

Michael Mercatoris, Ph.D. & Associates, P.C. 1979-Present

Private practice which has grown from one licensed psychologist (self) to include four licensed psychologists, three psychotherapists, one psychiatrist and three office personnel. Personally see a variety of clients from children to older adults, supervise three psychotherapists and have with experience in EAP, short and long term therapy, chronic populations, variety of disorders.

Meadville, PA

Meadville Medical Center 1968-Present

Staff privileges as a Clinical Psychologist  
Formerly Meadville City Hospital and Spencer Hospital.

Meadville, PA

Northwest Medical Center 1981-1987

Staff privileges as a Clinical Psychologist.  
Formerly Franklin Regional Medical Center.

Franklin, PA

Headache Center/Neurology Institute of Western Pennsylvania 1990-1991

Psychological Consultant and Associate.

Meadville, PA

Franklin Regional Medical Center 1981-1987

Clinical Instructor, Family Practice Residency Program  
Director, Behavioral Science Department, Family Practice

Franklin, PA

Sarah A. Reed Children's Center 1979-1982  
Director of Research and Training, Director of Clinical Services,  
and Consulting Psychologist Erie, PA

Consulting Psychologist 1977-1984  
Polk Correctional Center, 1982-1984 Polk, PA  
Crawford County Association for Retarded Citizens, 1981-1982 Meadville, PA  
United Cerebral Palsy of Crawford/Venango Counties, 1981-1982 Meadville, PA  
Pupil Services of the Northwest Tri-County IU, 1980-1984 Erie, PA  
Good Samaritan Community Mental Health Center, 1977-1979 Dayton, OH

The Pennsylvania State University 1970-1974  
Counselor, Career Development & Placement Center, 1973 University Park, PA  
Counselor, Division of Counseling, 1972-1973  
Graduate Student Therapist, Department of Psychology, 1970-1974

### *Teaching Experience*

Villa Maria College 1980-1984  
Adjunct Faculty, Psychology Department Erie, PA

Wright State University School of Medicine 1977-1978  
Assistant Clinical Professor of Psychiatry, Department of Psychiatry Dayton, OH

Miami University 1975-1979  
Visiting Instructor, Visiting Assistant Professor, Assistant Professor,  
Department of Psychology Oxford, OH

The Pennsylvania State University 1968-1974  
Instructor, Graduate Teaching Assistant, Department of Psychology University Park, PA

Allegheny College 1967-1968  
Teaching Assistant, Research Assistant Meadville, PA

### *Internship Experience*

Palo Alto Veterans Hospital 1974-1975  
APA Accredited Pre-Doctoral Internship, Department of Psychology Palo Alto, CA

Laurelton State School and Hospital 1970-1971  
Psychological Associate, Masters level internship Laurelton, PA

### ***Publications***

Bittman, B., Dale, J.A. & Mercatoris, M. (1991). A meeting of the minds of health care professional for headache care. The Society of Behavioral Medicine Twelfth Annual Scientific Session: New partnerships in modern ideas for the next millennium. Rockville, MD: Society of Behavioral Medicine, 62. (Abstract).

Craighead, W.E. & Mercatoris, M. (1973). Mentally retarded residents as paraprofessionals: A review. American Journal of Mental Deficiency, 78, 339-347.

Craighead, W.E. & Mercatoris, M. (1975). Mentally retarded residents as paraprofessionals: A review. In D. Gibson & R.I. Brown (Eds), Managing the Severely Retarded. Springfield, IL: CC Thomas.

Craighead, W.E., Mercatoris, M., & Bellack, B. (1974). The use of mentally retarded residents as behavioral observers. Journal of Applied Behavior Analysis, 7, 333-340.

Mercatoris, M. & Craighead, W.E. The effects of non-participant observation on classroom behavior. Journal of Educational Psychology, 66, 512-519.

Mercatoris, M. Hahn, L. & Craighead, W.E. (1975). Mentally retarded residents as paraprofessionals in modifying mealtime behavior. Journal of Abnormal Psychology, 84, 299-302.

Meyers, A.W., Mercatoris, M. & Artz, H. (1976). On the development of a cognitive self-monitoring skill. Behavior Therapy, 7, 128-129.

Meyers, A.W., Mercatoris, M. & Sirota, A. (1976). The use of overt self-instructions for the elimination of psychotic speech: A case study. Journal of Consulting & Clinical Psychology, 44, 480-482.

Snow, J.S., Mercatoris, M., Beal, D. & Weber, D. (1982). Development of standards of performance by mentally retarded children. American Journal of Mental Deficiency, 87, 282-288.

### ***Papers/Presentations***

Bittman, B., Dale, J.A. & Mercatoris, M. (1991). A meeting of the minds of health care professional for headache care. Paper presented at the Annual Meeting of the Society of Behavioral Medicine. Washington, D.C.

Mercatoris, M. Hahn, L. & Craighead, W.E. (1973). Mentally retarded residents as paraprofessionals in modifying mealtime behavior. Presented at the American Association on Mental Deficiency. Atlanta, GA.

Craighead, W.E. & Mercatoris, M. (1972). The use of mentally retarded residents as para-professionals in behavior modification. Presented at the American Association on Mental Deficiency. Minneapolis, MN.

Craighead, W.E. & Mercatoris, M. (1972). The effects of non-participant observation on classroom behavior. Presented at the Sixth Annual Meeting of the Association for Advancement of Behavior Therapy. New York, NY.

Dale, J.A., Mercatoris, M. Emanuele, S. & Bittman, B. (1992). Avoidance of muscle sites with high EMG for biofeedback with migraineurs. Presented at the Annual Meeting of the Society of Behavior Medicine. New York, NY.

Mercatoris, M., Cole, C.S., Lewis, L. & Leonard, A. (1980). Depression and the self evaluative process. Presented at the Annual Meeting of the Association for Advancement of Behavior Therapy. New York, NY.

Mercatoris, M., Huggins, R.D., & Bedrosian, R. (1979). Increasing appointment keeping with reminders: A cost/benefit approach. Presented at the Annual Meeting of the Midwestern Psychological Association. Chicago, IL.

Mercatoris, M., Palmer, R.I., Novonty, C., Johnson, M. & Singh, G. (1986). The path of tornadoes: Can a family practice residency respond in natural disaster? Presented at the North East Regional Meeting of the Society of Teachers in Family Medicine. Buffalo, NY.

Mercatoris, J., Wilcoxon-Graighead, L., Craighead, W.E. & Schrader, S. (1979). Factor structure of a mood checklist for use in behavior therapy research. Presented at the Thirteenth Annual Meeting of the Association for Advancement of Behavior Therapy. San Francisco, CA.

Mercatoris, M., Wenk, N.M., Weber, D.B., Englert, H.F., & Scantlebury, R. (1980) Training summer staff in contingency management: Are in services enough? Presented at the Seventh Annual Meeting of the Association for Behavior Analysis. Detroit, MI.

Snow, S.F., Mercatoris, M., Beal, D. & Weber, D. (1980). Development of standards of performance in the mentally retarded: An investigation of the self evaluative component of self control. Presented at the Annual Meeting of the Association for Advancement of Behavior Therapy. New York, NY.

Snow, S.F., Mercatoris, M., Beal, D. & Weber, D. (1981). Training moderately retarded children to set performance standards. Presented at Fourteenth Annual Gatlinburg Conference on Research on Mental Retardation and Developmental Disabilities. Gatlinburg, TN.

Weber, D.B., Rockoff, E. & Mercatoris, M. (1979). A comparative study of de-institutionalized and non-institutionalized mentally retarded adults in a sheltered

workshop setting. Presented at the 103<sup>rd</sup> Annual Meeting of the American Association on Mental Deficiency. Miami Beach, FL.

Weber, D.B., Weber, D.M. & Mercatoris, M.(1979). The least restrictive treatment for hyperactivity: A proposed treatment model. Presented at the Twentieth Annual Meeting of the Pennsylvania Federation Council for Exceptional Children. Pittsburgh, PA.

### ***Theses***

Mercatoris, M. (1972). The Effects of Nonparticipant Observation on Teacher-Pupil Classroom Behavior. Masters Thesis. The Pennsylvania State University, University Park, PA.

Mercatoris, M. (1976). Moods, Models and Self-Consequation. Doctoral Dissertation. The Pennsylvania State University, University Park, PA.

### ***Licensure/Memberships***

Pennsylvania Board of Psychologist Examiners 1979-Present  
Licensed Psychologist, License # PS003154L

State of Ohio Board of Psychology 1978-1997  
Licensed Psychologist, License #2771  
Allowed to lapse in good standing due to no longer practicing in State of Ohio

National Register of Health Service Providers in Psychology 1980-Present

American Psychological Association 1970-Present